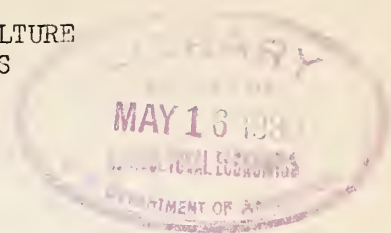


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UNITED STATES DEPARTMENT OF AGRICULTURE
BUREAU OF AGRICULTURAL ECONOMICS
Land Economics Division



Bulletin 48

BULLETIN OF OUTSTANDING FEDERAL AND STATE LEGISLATION AFFECTING
LAND USE DURING THE PERIOD OF APRIL 9, 1939 to MAY 4, 1939

(Primarily for the information of Bureau of Agricultural Economics personnel, and the Division of Marketing Research, Soil Conservation Service and Forest Service.)

CURRENT LEGISLATIVE SESSIONS

<u>Regular Sessions</u>	<u>Convened</u>	<u>Adjourned</u>
Alabama*	January 10	
Arizona	January 9	March 13
Arkansas	January 2	March 9
California	January 2	
Colorado	January 4	April 28
Connecticut	January 4	
Delaware**	January 3	
Florida	April 4	
Georgia	January 9	March 18
Idaho	January 2	March 2
Illinois	January 4	
Indiana	January 5	March 6
Iowa	January 9	April 28
Kansas	January 10	April 3
Maine	January 4	April 21
Massachusetts	January 4	
Maryland	January 4	April 4
Michigan	January 4	
Minnesota	January 3	April 19
Missouri	January 4	
Montana	January 2	March 2
Nebraska	January 3	
Nevada	January 16	March 16

* Recessed March 14 to July 18

** Recessed April 22 to May 2

CURRENT LEGISLATIVE SESSIONS continued:

<u>Regular Sessions</u>	<u>Convened</u>	<u>Adjourned</u>
New Hampshire	January 4	
New Jersey	January 10	
New Mexico	January 10	March 11
New York	January 4	
North Carolina	January 4	April 4
North Dakota	January 3	March 8
Ohio	January 2	
Oklahoma	January 3	April 29
Oregon	January 9	March 15
Pennsylvania	January 3	
Rhode Island	January 3	
South Carolina	January 10	
South Dakota	January 3	March 3
Tennessee	January 2	March 11
Texas	January 10	
Utah	January 9	March 11
Vermont	January 4	April 14
Washington	January 9	March 10
West Virginia	January 11	March 11
Wisconsin	January 11	
Wyoming	January 10	February 18
<u>Special Sessions</u>		
Alabama	March 15	March 31

I. FEDERAL LEGISLATION

AGRICULTURE

S. 2138. Mr. Capper. April 11, 1939. To Committee on Agriculture and Forestry.

To establish a Division of Cooperatives in the Department of Agriculture to conduct research in cooperative problems, to assemble and maintain statistical data files on cooperative enterprises generally, as affected by the laws of the United States and of foreign countries.

AGRICULTURAL ADJUSTMENT

H. R. 5686. Mr. Darden. March 31, 1939. To Committee on Ways and Means.

To extend the time for filing claims for refunds of amounts collected under the Agricultural Adjustment Act to January 1, 1940.

AGRICULTURAL ADJUSTMENT continued:

H. R. 5941. Mr. Winter. April 21, 1939. To Committee on Agriculture.

To repeal the Agricultural Adjustment Act of 1938, and all acts supplemental and amendatory thereto to take effect January 1, 1940.

BANKING AND CREDIT

H. R. 5371. Mr. Keen. March 27, 1939. To Committee on Banking and Currency.

To terminate the authority of the following listed Federal agencies to issue obligations guaranteed as to principal or interest by the United States: Commodity Credit Corporation, the Federal Farm Mortgage Corporation, the Home Owners' Loan Corporation, the Reconstruction Finance Corporation, the Tennessee Valley Authority, and the United States Housing Authority.

FARM CREDIT

H. R. 5616. Mr. Curtis. April 6, 1939. To Committee on Agriculture.

To prohibit deficiency judgments in real estate foreclosures by the Farm Credit Administration, the Federal Land Bank Commissioners, the Federal Farm Mortgage Corporation, and the Federal land banks, and prohibiting an increased rate of interest after maturity, and the filing of the mortgage or obligation secured thereby as a claim against the estate of a deceased debtor.

H. R. 5761. Mr. Kerr. April 13, 1939. To Committee on Agriculture.

To amend the Emergency Farm Mortgage Act of 1933 by increasing the principal amount of loans made by the Land Bank Commissioner from \$7,500 to \$15,000.

H. R. 5795. Mr. Cartwright. April 17, 1939. To Committee on Agriculture.

To provide "That the Land Bank Commissioner shall extend all loans which are made by him and amortized so as to become due and payable in full in ten or thirteen years from the date the loan was made and provide for its ~~re~~amortization over a period not less than twenty years and not more than forty years."

FORESTRY

H. R. 5656. Mr. Sheppard. April 10, 1939. To Committee on Agriculture.

To authorize an appropriation of \$15,000,000 to provide necessary control of fire, control of erosion, and conservation of water, by the protection of the existing vegetative

FORESTRY continued:

cover and improvement of said cover for control of run-off on lands lying within the Angeles, San Bernadino, and Cleveland National Forests and adjacent land in Los Angeles, San Bernadino and Riverside Counties in California. This money may be made available in amounts of \$1,500,000 per year.

GRAZING

H. R. 5958. Mr. Dempsey. April 24, 1939. To Committee on Public Lands.

To amend the Taylor Grazing Act by adding a new section (Section 18), to appoint advisory boards composed of the local stockmen and wildlife representatives. The Board shall meet at least once annually and shall furnish the Secretary of the Interior with information and advice concerning physical, economic, and other conditions in the several grazing districts.

HOUSING

H. R. 5614. Mr. Curtis. April 6, 1939. To Committee on Banking and Currency.

To prohibit deficiency judgments in real estate foreclosures by Home Owner's Loan Corporation, and prohibiting an increased rate of interest after maturity, and the filing of the mortgage or obligation secured thereby as a claim against the estate of a deceased debtor.

SOIL CONSERVATION

H. R. 5580. Mr. Martin of Iowa. April 5, 1939. To Committee on Agriculture.

To amend the last paragraph of section 8(e) of the Soil Conservation and Domestic Allotment Act, as amended, by adding:

"In applying these limitations of the total payments, there shall be excluded amounts representing payments to a cooperative corporation or association, having at least fifty participating members or stockholders, if 75 per centum or more of the persons actually engaged in its farming operations are participating members or stockholders of such corporation or association or are children or members of the family of such members or stockholders."

TENANCY

H. R. 5914. Mr. Nichols. April 20, 1939. To Committee on Agriculture.

To amend the Bankhead-Jones Farm Tenant Act by inserting a new title, "Title IA - Mortgage Insurance". This title establishes a mutual mortgage insurance fund of which \$10,000,000 is to be made immediately available to the Secretary of Agriculture. Mortgages may be insured upon the purchase price of farms or repairs or improvements thereon. Insured mortgages

TENANCY continued:

will bear interest at 3 per cent per annum or not to exceed 4 per cent per annum and have complete amortization provisions which shall not exceed 40 years.

II. STATE LEGISLATION

GRAZING

Montana. S. B. 199. Regular Session. Approved March 17, 1939. Ch. 193, Laws 1939.

To require county commissioners to annually select tax title property to be sold and offer the same for sale. To authorize the county commissioners, with the advice of the County Agricultural Planning Committees to establish land use policies and provide for leasing tax title lands including leasing for 5 to 10 years for grazing purposes, with power in the commissioners to fix the carrying capacity of the land.

HOUSING

Alabama. S. B. 120. Regular Session. Approved March 20, 1939. Governor's Number 152, Laws 1939.

To authorize trustees, executors, administrators, guardians, and other fiduciaries, upon the termination of their fiduciary relationships, to sell to other mortgagees approved by the Federal Housing Administration, mortgages accepted for insurance by the Federal Housing Administrator and to distribute the proceeds in cash.

Arizona. H. B. 155. Regular Session. Approved March 20, 1939. Ch. 82, Laws 1939.

To create municipal housing authorities to construct, improve, and operate housing projects for the purpose of improving and providing better housing facilities for low income groups. The Authority may acquire land, construct or improve buildings, roads and parks, and furnish same with the requisite utilities and do all things necessary for the construction, operation and maintenance of such projects.

Georgia. S. R. 33. Regular Session. Approved March 23, 1939. Governor's Number 240, Laws 1939.

To amend the "Housing Cooperation Law" (Georgia Laws of 1937, pp. 697-702) to authorize a state public body to furnish certain services to housing authorities. A state public body may make agreements with a housing authority for repairing, closing or demolition of unsafe, insanitary, or unfit dwellings. A state public body may also purchase bonds of a housing authority. To provide that the State Housing Authority Board may approve certain projects and contracts and a proposed course of action of a housing authority.

HOUSING continued:

Idaho. H. B. 201. Regular Session. Approved March 13, 1939.

To authorize cities, towns, counties, and other public bodies to aid housing projects of housing authorities by conveying or dedicating property, furnishing parks, playgrounds, streets, water, sewer or drainage facilities, and other improvements and facilities, and by exercising the power of zoning. This Act also authorizes municipalities to purchase bonds of housing authorities, to make agreements respecting the exercise of their powers relating to the elimination of unfit dwellings, and relating to payments by housing authorities for such services.

New Mexico. H. B. 253. Regular Session. Approved March 16, 1939. Ch. 193, Laws 1939.

To create Housing Authorities who may acquire land, construct or remodel buildings, parks, roads, and provide utilities therefor. These projects may be financed by the issuance of bonds. All such projects are tax exempt. Such authorities may do any and all things necessary for elimination of slum areas and to provide adequate housing for low income groups.

North Carolina. H. B. 319. Regular Session. Approved March 16, 1939.

To validate the creation and establishment of housing authorities, and all contracts, bonds, notes, agreements, obligations and undertakings of such housing authorities, and all proceedings and acts heretofore undertaken.

North Carolina. H. B. 320. Regular Session. Approved March 31, 1939.

To authorize cities and towns having a population of more than 5,000 to adopt ordinances relating to the repair, closing and demolition of dwellings unfit for human habitation, and providing for the remedies and procedure in connection with action taken under such ordinances.

South Carolina. H. B. 386. Regular Session. Approved March 21, 1939. Governor's Number 172, Laws 1939.

To validate the creation and establishment of housing authorities, all bonds, notes, contracts, agreements, obligations and undertakings of such housing authorities and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto.

Tennessee. H. B. 602. Regular Session. Approved March 1, 1939. Ch. 59, Public Acts 1939.

To validate the creation and establishment of housing authorities, and all contracts, bonds, notes, agreements, obligations and undertakings of such housing authorities.

HOUSING continued:

Tennessee. S. B. 446. Regular Session. Approved March 10, 1939. Ch. 155, Public Acts 1939.

To provide that bonds and other obligations issued by any public housing authority in the United States, when secured by a pledge of annual contributions to be paid by the United States Government, shall be security for public deposits, and legal investments for the State and public officers, municipal corporations, public bodies, all banks, trust companies and institutions, building and loan associations, investment companies, insurance companies, executors, administrators, guardians, trustees and other fiduciaries.

Vermont. H. B. 225. Regular Session. Approved April 6, 1939.

To validate the establishment of housing authorities, all bonds, notes, contracts, agreements, obligations, undertakings, and transactions thereof, heretofore undertaken or performed.

Washington. S. B. 80. Regular Session. Approved February 25, 1939. Ch. 24, Laws 1939.

To authorize cities, towns, counties, and other public bodies to aid housing projects of housing authorities or of the United States by conveying or dedicating property, furnishing parks, playgrounds, streets, water, sewer or drainage facilities and other improvements and facilities, and by exercising power of zoning. This act also authorizes municipalities to purchase bonds of housing authorities, to make agreements respecting the exercise of their powers relating to the elimination of unfit dwellings, and relating to payments by housing authorities for such services.

PLANNING - ZONING

Colorado. S. B. 278. Regular Session. Approved March 30, 1939.

To authorize planning and zoning of unincorporated territory within counties. To provide for the appointment of regional, county and district planning commissions in connection therewith and providing procedure therefore and penalties for violations.

Georgia. H. B. 116. Regular Session. Approved February 10, 1939. Ch. 31, Laws 1939.

To create a County Planning Board, composed of 5 members appointed by the Commissioners of Roads and Revenue of McIntosh County with authority to adopt and enforce zoning ordinances. The ordinances are to be based on a zoning plan made by the Planning Board. The Act provides for a Board of Appeals and penalties for violations.

PLANNING - ZONING continued:

Georgia. H. B. 580. Regular Session. Approved March 24, 1939. Governor's Act 306, Laws 1939.

To permit the governing officials of the City of Barnesville to pass and enforce zoning and planning laws.

Kansas. H. B. 321. Regular Session. Approved March 24, 1939.

To authorize zoning in townships in counties having more than 25,000 inhabitants and less than 40,000 inhabitants and bordering on a city of more than 100,000 population or township of more than 5,000 inhabitants.

Tennessee. S. B. 1028. Regular Session. Approved March 10, 1939. Ch. 473, Private Acts 1939.

To empower county courts having a population of not less than 200,000 and not more than 250,000 according to the 1930 census or subsequent census, to provide for the establishment of zoning districts. They may regulate land use, size and type of buildings, lot occupancy, and required open space.

PUBLIC FINANCE

Montana. H. B. 58. Regular Session. Approved March 11, 1939.

"The Municipal Revenue Bond Act of 1939". Municipalities have the power under this Act to construct, acquire by gift, purchase, exercise of right of eminent domain; to reconstruct, improve or extend any undertaking within or without the municipality, and lands or water rights in connection therewith; to operate and maintain any undertaking and furnish the service, facilities and commodities thereof for its own use and for the public use. A municipality has the right to issue bonds to finance in whole or in part its activities, to prescribe and collect rates, fees and charges for services, facilities and commodities furnished by such undertaking, and to pledge the punctual payment of such bonds and interest thereon.

PUBLIC LANDS

Washington. H. B. 382. Regular Session. Approved March 7, 1939.

To give county commissioners the power to designate county owned lands as homestead lands; providing for the settlement, improvement and deeding of such lands. To repeal all acts in conflict herewith.

REAL PROPERTY

North Dakota. H. B. 99. Regular Session. Approved March 15, 1939.

To authorize County Commissioners to lease real property acquired by Tax Deed and not sold or leased; to limit the term of such leases to not more than 5 years, unless leased for grazing purposes in which case it may be leased for 10 years. The net income derived from said leases, including all Federal payments made in connection therewith, in an amount not less than 90 per cent of the total revenue shall be paid into the County Treasury. 10 per cent of the revenue is allowed to defray expenses in connection with supervision and collection of these rentals.

North Dakota. S. B. 40. Regular Session. Approved March 15, 1939.

To provide for the postponement of mortgage foreclosures or other liens on real estate, and execution sales of real estate, and cancellation of contracts for the sale of property and eviction of tenants. To extend the period of redemption and prescribing procedure and jurisdiction therefor.

West Virginia. S. B. 41. Regular Session. Approved March 7, 1939.

To extend the time for redemption of real estate sold for nonpayment of taxes assessed and levied thereon and purchased for the State, and/or forfeited for monetary, and providing the method of computing the amount required for redemption. The auditor is required to accept payment of such delinquent taxes and in making redemption of real estate no interests, costs, fees or penalties shall be required to be paid for any year previous to 1933.

SOIL CONSERVATION

Idaho. S. B. 136. Regular Session. Approved March 9, 1939.

To authorize the creation of Soil Conservation Districts for the purpose of conserving soil resources and preventing and controlling soil erosion. This Act is similar to the Standard Soil Conservation Districts Act published by the Department of Agriculture, except that there are no land use regulations and no board of adjustment.

TAXES

Montana. H. B. 183. Regular Session. Approved March 11, 1939.

To provide for the increase of the rate of taxation on real and personal property for State purposes of not to exceed $3\frac{1}{2}$ mills on each dollar of taxable valuation, in addition to the levy which is now or hereafter may be authorized by Section 9 of Article 12 of the Montana Constitution, for a period of 10 years

TAXES continued:

beginning after 1941, and to authorize the legislature to levy a tax for each year during such period of not to exceed $3\frac{1}{2}$ mills on each dollar of taxable valuation for the support, maintenance and improvement of the institutions now comprised in the University of Montana, together with the Agricultural experiment station and extension service, including the soil survey and grain laboratory.

North Dakota. H. B. 194. Regular Session. Approved March 14, 1939.

To amend and re-enact Chapter 240 of the Session Laws of North Dakota for 1937 to provide for the cancellation of all delinquent taxes, penalties and interest upon payment of the full amount of the original tax on or before March 1, 1940. This Act shall not apply to any real estate taxes the tax certificates for which have been sold or assigned to any purchaser other than the County, nor to special assessments levied for local improvements, or by drainage or irrigation districts. Provision is also made for the payment of such delinquent taxes in 10 annual installments provided 10 per cent of the principal is paid when the extension is allowed.

North Dakota. S. B. 41. Regular Session. Approved March 15, 1939.

To declare all tax charges based on original final values of property assessed by local assessors, in excess of the amount that would have been charged had said original final value been limited to the full and true value in money, null and void providing remedy to the taxpayer.

North Dakota. S. B. 258. Regular Session. Approved March 15, 1939.

To provide suspension of remedies to enforce or effectuate tax liens, certificates and titles affecting lands acquired by the State Treasurer as Trustee for the State of North Dakota under the provisions of Sections 2290 b 9 and 2290 c 9 of the 1925 Supplement to the 1913 Compiled Laws, providing for the removal of such suspension upon sale of said lands, providing authority for payment of the original amounts of general taxes, and cancellation of lien, certificates and titles based thereon.

WATER

Arizona. S. B. 112. Regular Session. Approved March 9, 1939. Ch. 46, Laws 1939.

To create the Colorado River Commission which shall be composed of three members, appointed by the Governor with advice and consent of the Senate. The Commission shall represent the State in civil and legal matters pertaining to the Colorado River within the State; to enforce existing rights

WATER continued:

and claims of the State in the river and to claim new rights; to make application for dam sites; to make appropriations of the waters of the Colorado River not yet appropriated; to cooperate and negotiate with any State or the United States in making surveys of the river; to gather data for projects concerning irrigation and development of power. The sum of \$50,000 is appropriated to carry out the purposes of the Act.

North Dakota. H. B. 274. Regular Session. Approved March 16, 1939.

To create a State Water Conservation Commission with powers to investigate, place, construct, finance, regulate, control and operate, purchase or lease lands for works to control flood waters, water conservation, irrigation, water rights, run-offs, watersheds, pollution, navigable and non-navigable waters, streams, lakes, and distribution, utilization and storage of water.

Oregon. H. B. 350. Regular Session. Approved March 4, 1939.

To authorize and empower the board of directors of any irrigation district organized under the laws of Oregon and situated in any of the counties east of the Cascade range, to contract with the United States Government, or any of its agencies empowered to construct flood works, for the purpose of controlling the flood waters of any stream that enters upon such district or whose waters are used in irrigating land in the district. The Act also provides for an election to be held for approval of such contract by the legal voters of the district.

Texas. S. B. 159. Regular Session. Approved March 22, 1939.

To validate the bonds issued by any water improvement district, lying wholly or in part in any county having a population of not less than 250,000 nor more than 320,000 according to the last Federal census, for improvement, repair, or rehabilitation of its irrigation system. The Act also validates the levy and assessment of ad valorem taxes in payment thereof, and the manner of holding the election, canvassing the returns and declaring the results of such election.

Vermont. H. B. 282. Regular Session. Approved April 10, 1939.

To permit the town of Bennington to erect and maintain a sewerage disposal plant and incinerator and to prevent pollution of the streams and bodies of water within said town.

WATER continued:

Wyoming. S. B. 79. Regular Session. Approved February 25, 1939.

To empower the State Board of Control to grant changes in points of diversion of irrigation works within the State, on streams entering or leaving the State for the purpose of irrigating lands therein under bona fide water rights granted by adjoining states. The State Board of Control is empowered to investigate and determine the validity of water rights and may determine the right of applicants to build irrigation works.

Wyoming. H. B. 188. Regular Session. Approved February 25, 1939.

To prohibit the development of the water resources of Wyoming for diversion into and use in other states and providing penalties for violation of the Act.

